

TESTIMONY SUBMITTED BY:
Shannon Knall
Chapter Advocacy Chair
Autism Speaks, Connecticut
connecticutcac@autismspeaks.org
860-573-7600

301

Attorney Jennifer D. Laviano
Sherman, CT
lavlaw3@aol.com

My name is Jennifer Laviano, and I am an attorney who represents children with autism and other special education needs in securing appropriate services with their school districts. I have been advocating for children with autism spectrum disorders (ASD) for over 12 years. I am unable to appear personally today, and greatly appreciate your consideration of my remarks and concerns.

In theory, I support the idea of having autism treatment funded by insurance companies. However, I am extremely concerned that the Legislature be clear in their intent that such a requirement does not release our public school districts from their obligations under the IDEA or Connecticut special education laws.

We have some, though not nearly enough, decent programs for children with ASD operating in our schools in Connecticut. These programs did not happen overnight. They are the result of hard-fought, painful, and often expensive battles that many parents have had to wage over the last decade to convince local and state educational agencies that children with autism require intensive services and support in school, their home, and their communities, in order to make meaningful educational progress. My fear is that that, without additional language that clearly states that this legislation is not intended to substitute special education obligations, school districts will be financially incentivized to scale down or close effective programs and services for children with ASD, which will turn back the clock on progress for children with autism in CT by a decade. Moreover, I envision school districts telling parents who ask about services for their children with ASD that they should just call their insurance company instead of asking for special education services.

I am greatly worried that school districts will now attempt to characterize **all** autism treatment services as "medical," even though such services clearly fall within the definition of special education and related services under the federal IDEA (Individuals with Disabilities Education Act) and CT special education laws. Further, I am concerned that parents will find themselves with little recourse, in terms of appeal, if they disagree with their insurance company's determination as to what is appropriate for their child, whereas under the IDEA and state law there is a strong infrastructure already in place to address such disagreements.

Please understand, I am not opposed to having requirements for insurance companies to cover autism treatment, especially when we consider how many children with ASD will soon become adults no longer entitled to services through their school districts. Rather, I feel the Legislature MUST add language to make it very clear that the ongoing mandates by the federal and state governments regarding special education are not impacted by this legislation. Without very strong and definite language in this regard, I am terribly concerned that a piece of legislation which is designed and intended to help families of children with autism will, in fact, harm them greatly.

I thank you for your consideration of my views on this very important issue.

Attorney Jennifer D. Laviano, Sherman, CT